CONFERENCE ON DISARMAMENT

CD/PV.798
18 June 1998

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND NINETY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 18 June 1998, at 10.15 a.m.

President: Mr. Sungar (Turkey)

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The PRESIDENT: I declare open the 798th plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of the Conference and on my own behalf, a warm welcome to the Deputy Minister for Foreign Affairs in Charge of Legal and Political Affairs of the Islamic Republic of Iran, who happens to be also my friend. Together we have spent long hours to prepare a joint statement in a totally different forum. Dr. Zarif will address the Conference this morning. Only two weeks ago, the Foreign Minister of the Islamic Republic of Iran, H.E. Dr. Kamal Kharrazi, in an important statement, shared with us some observations on his consultations in Islamabad and New Delhi, and the presence among us yet again today of a high-level governmental official from the Islamic Republic of Iran demonstrates the continued interest of the Iranian Government in our work and the importance it attaches to our forum, especially at this crucial juncture.

I also wish to welcome Mr. Ralph Earle, Deputy Director of the United States Arms Control and Disarmament Agency, on behalf of the Conference on Disarmament.

Besides the Deputy Minister for Foreign Affairs of the Islamic Republic of Iran, I have on my list of speakers for today the representative of Indonesia.

I now invite the Deputy Minister for Foreign Affairs of the Islamic Republic of Iran, H.E. Mohammad Javad Zarif, to address the Conference.

Mr. ZARIF (Islamic Republic of Iran): Mr. President, let me begin by expressing my happiness at seeing you, a good friend and an able diplomat, presiding over the Conference, and also express my pleasure to be able to speak before the Conference on Disarmament after a breakthrough in a more than a year of stalemate in its programme of work. As the Foreign Minister pointed out in his address, he had reserved the possibility of addressing the other issues of the Conference at a later stage and this, I presume, is the later stage.

The recent nuclear tests in South Asia and the escalation of tension in the region have once more highlighted the prominent role of the Conference on Disarmament in contributing to regional and international peace and security. They have equally sharpened the focus on nuclear disarmament as the highest priority of the international community. Articulation of, and agreement on, practical and effective methods of attaining the global aspiration of total elimination of nuclear weapons remain the genuine preoccupation of the CD.

With an eye to the future, we should draw lessons from this experience and set the stage for prevention of similar incidents. In line with this approach, there is the need for a fresh look at the question of nuclear disarmament.

For decades, numerous calls for nuclear disarmament have fallen on deaf ears and, much to the frustration of humanity at large, there has been little significant progress in this regard. Even the clear and historic advisory

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opinion of the International Court of Justice (ICJ), emphasizing the legal obligation to engage in a genuine effort for the elimination of these weapons, has yet to be heeded.

While an overwhelming majority of States insist on multilateral negotiations on nuclear disarmament, some nuclear-weapon States speak solely of reduction and insist that even this issue is best left to bilateral negotiations amongst the nuclear-weapon States themselves. This can, in my view, be called total indifference to the grave concern of the international community over the risks of nuclear weapons. It is even more regrettable that some nuclear-weapon States have advanced the doctrine of nuclear response against non-nuclear threats, thus further exacerbating an already alarming situation.

The NPT was never meant to perpetuate the possession of nuclear weapons and create two categories of States. Such a reading of the non-proliferation regime will make it inherently unstable and will invite further proliferation based on the misperception - and I underline, the misperception - that acquisition of these deadly and inhumane weapons increase security or national clout.

At first glance, it might seem that there is no possibility for reconciliation between divergent positions on nuclear disarmament. But we believe otherwise. As the threats associated with the unrealistic and dangerous insistence on maintaining the nuclear option become ever more evident, the international community will find it ever more necessary, sooner or later, to enable the CD to commence serious negotiations on nuclear disarmament. We believe the self-evident reality is slowly sinking in that the advantages of a nuclear-free world by far outweigh whatever prestige or misplaced sense of security is derived from the balance of terror of a nuclear arms race, old or new.

The President of the CD has been given the mandate to hold intensive consultations on agenda item 1, entitled "Cessation of the nuclear arms race and nuclear disarmament". We welcome this initiative, and are of the view that this process should be dynamic and vigorous and must be pursued with the same enthusiasm by the incoming Presidents. It should also provide for the early establishment of an ad hoc committee on nuclear disarmament.

In the meantime, further effective steps, including confidence-building measures, might be considered in order to pave the ground for the realization of the ultimate objective. The CD, among other items, is to deliberate on transparency in armaments. This item includes transparency in nuclear armaments. Openness and transparency in this field would promote confidence and stability and strengthen the non-proliferation regime. Similarly, it would facilitate negotiations on a fissile material cut-off treaty, as well as more progress in the area of nuclear disarmament itself.

The General Assembly in its resolution 52/38 B of 9 December 1997 on transparency in armaments has provided for transparency in weapons of mass destruction. Given the fact that under the CWC and BWC, the development, production, stockpiling and use of chemical and biological weapons have been banned, the only missing ring in the chain of resisting weapons of mass

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destruction is nuclear weapons. Therefore, the nuclear-weapon States should be required to report on the quantity and type of their nuclear arsenals, delivery systems, the quantity and type of fissile materials, programmes for quantitative and qualitative development of nuclear weapons, as well as their activities in dismantling the existing nuclear warheads.

It is self-evident that the best assurance to non-nuclear-weapon States against the use or threat of use of nuclear weapons is the total elimination of these weapons. However, as an interim measure and in line with the letter and spirit of the declaration of principles and objectives for nuclear non-proliferation and disarmament agreed at the 1995 Review and Extension Conference of the NPT, as well as the decision of the CD at its first session, there exists the need to negotiate an international and legally binding instrument on negative security assurances (NSAs).

The Islamic Republic of Iran attaches great importance to NSAs, particularly because States in the Middle East have not been able to establish a nuclear-weapon-free zone and benefit from its NSA advantages, due to the opposition by some nuclear States in support of Israel and its unsafeguarded nuclear activities and programmes. In addition, the granting of NSAs has so far been selective, in clear disregard of various international obligations.

For the NSA regime to be an effective instrument of non-proliferation, it should be a multilaterally negotiated and legally binding instrument. The question of the providers of NSAs, in light of recent developments, is a very sensitive and potentially contentious issue that can wisely be deferred to the conclusion of negotiations on other provisions of the instrument. The recipients are obviously non-nuclear-weapon parties to the NPT. We need not start from scratch. There are a good number of position papers by individual countries or groups of countries. What is needed is political will and commitment on the part of nuclear-weapon States to move forward.

The urgent need to prevent the spill-over effect of the nuclear tests in South Asia underlines the imperative of establishing a zone free from weapons of mass destruction, including nuclear weapons, in the Middle East. The unsafeguarded nuclear facilities and clandestine nuclear programmes of Israel pose an imminent threat to the peace and security of the region. A mistake should not be repeated twice. Hence, the international community should exert every pressure on Israel to immediately abandon and dismantle its nuclear-weapon programmes, accede without any preconditions to the NPT and accept unconditionally the IAEA safeguards. Anything less would but encourage Israel to continue enhancing its nuclear arsenal, which will undoubtedly have grave consequences for regional, as well as global, peace and security.

In conclusion, let me stress that the time has come to transcend beyond short-sighted calculations of interest. We sincerely hope that the unfortunate incidents in South Asia would generate a strong momentum for multilateral negotiations on a phase programme for nuclear disarmament so as to address the nuclear threat at its very roots. Progress in this field requires persuasion, perseverance and pressure. The Conference on Disarmament has an historic opportunity and a unique responsibility to generate these necessary prerequisites while, at the same time, articulating pragmatic ideas to put them to best use.

The PRESIDENT: I thank the Deputy Minister for Foreign Affairs of the Islamic Republic of Iran for his important statement and for the kind words addressed to the Chair. I give the floor to the representative of Indonesia, Ambassador Tarmidzi.

Mr. TARMIDZI (Indonesia): Mr. President, I should like, at the outset, to express my delegation's congratulations on your assumption of the presidency of the Conference. I should like to assure you of our full support and cooperation in the discharge of your duties. I also wish to avail of this opportunity to express our gratitude to your predecessor, Mr. Taher Al-Hussami of Syria, for his valuable contributions during his tenure. I also wish to welcome our new colleagues who have recently joined us in this forum.

The second session of our meetings this year is being held against the backdrop of some ominous developments in nuclear and related issues. These, in turn, have enjoined us to reassess our approaches to these priority questions as we brace ourselves to move into the uncharted expanse of the twenty-first century.

Of particular concern to my delegation are the nuclear tests conducted by two members of the CD, which have greatly complicated the nuclear dilemma. They have undermined the non-proliferation regime assiduously built for nearly three decades, threatened the objectives contained in various nuclear-weapon-free-zone treaties, constituted a serious setback for the concerted endeavours of the international community to achieve nuclear disarmament, and, more ominously, raised the spectre of a nuclear arms race and confrontation in South Asia with its attendant consequences.

In this context, we welcome the latest development in South Asia and applaud the constructive undertakings by both countries, India and Pakistan, friends of Indonesia, to reduce the tension. Likewise, we also welcome the positive initiatives taken by Iran to help overcome the insecure situation.

Indonesia, as a party to the NPT and a signatory to the CTBT, cannot condone the carrying out of nuclear-weapon tests by any country at any time. We share the widely held view that tests of any kind, underground or otherwise, should not be carried out as they pose a potent threat of proliferation and unacceptable risks to international peace and security. While we fully acknowledge the sovereign right of States to determine their own security requirements and the means to ensure them, as a non-nuclear State, such a security policy, in our view, should be implemented without recourse to nuclear arms.

It is clear that as long as these armaments are maintained, along with their security benefits, while no steady advances are made in nuclear disarmament through concrete measures, there will always be challenges to the non-proliferation regime and pressures to acquire a nuclear-weapon capability. Thus, apart from the unique geostrategic dynamics, recent developments in South Asia were triggered in large measure by a lack of substantial progress in nuclear disarmament in recent years, the perception that nuclear-weapon

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States are determined to maintain their arsenals in perpetuity, resentment of hegemony and domination, the selective implementation of the NPT's provisions, as well as defiance of the international consensus on the illegality of the threat or use of nuclear weapons and consistent refusal to assure the security of non-nuclear States in an internationally binding convention.

In dealing with the question of non-proliferation, therefore, the cooperation of all member States is indispensable. Such an approach allows for greater flexibility in accommodating the vital interests of all nations. The issue confronting the limitation of nuclear weapons is not only that of stemming proliferation but also that of formulating equitable strategic, security, technological and economic arrangements that apply equally to all States without discrimination.

The further accumulation of these weapons of mass destruction heightens the prospect of their use. As the report of the Canberra Commission has warned: "The proposition that large numbers of nuclear weapons can be retained in perpetuity and never used - accidentally or by decision - defies credibility". This cannot but be of serious concern to the international community. Even though the two major Powers are no longer locked in military confrontation and the prospect of nuclear warfare has receded into the background, thousands of nuclear weapons are still on hair-trigger alert. On land, ICBMs are ready to launch within minutes, and at sea, nuclear-armed submarines are on round-the-clock patrol. Other critical questions to be addressed include the risk of technical malfunction; ageing and obsolete weapons; early-warning-system failures; inadvertent or accidental use of nuclear weapons; seizure of weapons or weapon materials and threats or actual use by non-State actors; and the dismantling of warheads, rather than just the delivery systems, such as missiles, which have long been the focus of all previous nuclear arms control agreements. The complexity of these and other issues calls for their consideration under multilateral auspices.

However, persistent refusal by the weapons States to initiate negotiations on the nuclear issues has long stifled our Conference and raised questions regarding its future role as an effective multilateral negotiating body and even its credibility. But we should remain steadfast in our endeavours and demonstrate the utility of the CD as an important forum to reach arms control agreements. The urgent need to put nuclear disarmament on the top of our agenda cannot be overemphasized. There has been no dearth of proposals for nuclear disarmament - only a lack of political will and determination and the corresponding lack of sensitivity to the collective concerns and interests of the international community. Let me recall, in this context, the balanced proposals of the non-aligned countries for a programme of action for the elimination of nuclear weapons and the report of the Canberra Commission, both submitted in 1996. There are also proposals submitted by seasoned observers of the disarmament scene. Taken together, their implementation can lead towards the total abolition of nuclear weapons in accordance with a phased programme and within a given period or periods. Yet, what we have witnessed is a dismal failure to undertake any negotiations on nuclear disarmament since the indefinite extension of the NPT, as if that was a goal in itself unrelated to the fulfilment of Treaty commitments. It

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also emanates from the advisory opinion of the ICJ which established the obligation to pursue in good faith and bring to a conclusion negotiations on nuclear disarmament in all its aspects under strict and effective international control. In this context, my delegation is encouraged by the renewed commitment to nuclear disarmament which is reflected in the communiqué issued by the nuclear-weapon States early this month here in Geneva, and its faithful implementation should revive the long-stalled negotiations.

When the Group of 21 urged the CD to negotiate nuclear disarmament, the nuclear-weapons States were of the view that the matter does not fall within the authority of the CD. The nuclear-weapons States perceive nuclear disarmament to be a bilateral matter which should be dealt with bilaterally among themselves. However, this view will only encourage other nuclear-capable countries to develop their own nuclear arsenals.

Indonesia, together with other Non-Aligned Movement countries, is of the view that nuclear disarmament should be dealt with in multilateral negotiations because it is the concern of the international community and not solely of the nuclear-weapons States. In this regard, changing the current policy of "do as we say and not as we do" is vitally important if proliferation is to be halted.

Security issues are also of paramount importance to the vast majority of non-nuclear States. It is pertinent to recall that in April 1995, prior to the convening of the 1995 NPT Review and Extension Conference, individual declarations made by the weapons States contained inherent weaknesses and deficiencies and left ample room for subjective interpretations. There is also a distinct possibility that under certain circumstances, especially after the initiation of hostilities, such assurances may be unilaterally withdrawn. They do not meet the security needs of non-nuclear-weapon States since they have not been multilaterally negotiated and they are unverifiable, and they do not offer legitimate and binding assurances to meet the valid concerns of non-nuclear States. In the context of an imbalance of obligations between the nuclear-weapon and non-nuclear-weapon States, the latter called for unconditional and legally binding assurances in the form of an international convention. For without such ironclad guarantees, the non-nuclear-weapon States will remain subject to the threat or use of nuclear weapons. In my delegation's view, the CD should take a fresh look at this question in the light of recent developments in the international arena.

Indonesia is firmly committed to the non-proliferation regime and to nuclear disarmament. In the post-cold-war era, there is a window of opportunity to make nuclear-weapon reductions irreversible and move towards their internationally verifiable abolition. If we miss the present opportunity and continue with our outmoded ways of thinking, a new period of global tension may result, together with a renewed nuclear arms race aggravated by new technological developments and by further proliferation.

In recent months we have witnessed a galaxy of former heads of State or government, as well as generals and admirals, some of whom commanded nuclear forces, drawing our attention to the dangers posed by nuclear armaments. They

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reflect powerful statements of common concern and mounting international support for their abolition, which remains an imperative. It is therefore time to initiate negotiations for nuclear disarmament under the auspices of our forum, leading to the conclusion of a nuclear weapons convention.

The PRESIDENT: I thank the Ambassador of Indonesia for his statement and for his kind words of support. This concludes my list of speakers for today. Does any other delegation wish to take the floor? The representative of Bangladesh, Ambassador Chowdhury.

Mr. CHOWDHURY (Bangladesh): Mr. President, as we approach the conclusion of your presidency, I would be derelict of my responsibilities if I did not compliment you upon the manner in which you have stewarded us in the past month. Events at times rendered your task difficult, but you carried it out with distinction. You did Turkey, and your friends like us, proud.

It was good to see Deputy Minister Dr. Javad Zarif, an old friend, and to hear him again today. His contribution to disarmament deliberations is well known, and this morning we had further evidence of it. Ambassador Tarmidzi's statement also underscored some key focal points of interest and concern for us in the region.

But I have asked for the floor today to inform the Conference of a positive development in South Asia. Upon invitation from the distinguished Prime Minister of India, Mr. Atal Bihari Vajpayee, the Prime Minister of Bangladesh, Sheikh Hasina, undertook a visit to New Delhi on 16 June. She was most cordially received, and the discussions were assessed as successful. In a similar vein, upon invitation from the distinguished Prime Minister of Pakistan, Mr. Nawar Sharif, she will be visiting Islamabad on 24 June. The central purposes of these visits are to foster goodwill and to build and enhance confidence among the leaders and nations of South Asia. I shall keep the Conference further apprised in due course.

The PRESIDENT: I thank you very much, Ambassador, for your statement and for your warm words to the Chair. I also thank you for the information that you have given on the interaction between your country and Pakistan and India.

As there are no other speakers, I wish to submit to you my views that I gathered during my presidency.

As this is the last plenary meeting of the Conference under the presidency of Turkey, I should like to report to you the preliminary findings I was able to derive from the consultations held pursuant to paragraph 1 of decision CD/1501, which requires the President to "pursue intensive consultations and seek the views of [the CD] members on appropriate methods and approaches for dealing with agenda item 1 entitled 'Cessation of the nuclear arms race and nuclear disarmament', taking into account all proposals and views on this item".

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As you are aware, in implementation of this responsibility, I, with the assistance of the outgoing and incoming Presidents, deemed it advisable, in the first instance, to convene a meeting of all delegations that made specific proposals on how to deal with this item. The purpose of that meeting was to establish whether such a gathering could go beyond the clearly stated positions and attempt to develop a convergence of views on a mechanism or mechanisms for dealing with all issues relating to this item. While that meeting was useful in providing us with a better understanding of delegations' views, it did not, however, allow for the development of a common approach on how to deal with this item. Delegations from the Group of 21 reiterated their known positions and stressed that the participation of the five nuclear-weapon States was essential in any meaningful dialogue aimed at developing a consensus on all relevant issues. Other delegations saw merit in starting the consultation process with an effort at harmonizing the specific proposals submitted by delegations and gradually expanding the areas of convergence with the participation of all members of the Conference. I then held a series of bilateral consultations with the delegations of the nuclear-weapon States, during which I conveyed to them the views expressed at the meeting held with delegations having made specific proposals. I also met with a number of other delegations from different groups who expressed interest in consulting me on a bilateral basis.

Last Thursday, as you know, I convened informal open-ended consultations in order to inform you of the steps undertaken so far in implementation of paragraph 1 of CD/1501 and to give all delegations an opportunity to express their views on the issues at hand. I do not think that I need to dwell on the proceedings of that meeting, which was widely attended. I should like, however, to emphasize the high priority attached by all delegations to this item, the recognition by all of the complexity of the issues involved, as well as the need for the Conference to develop, without delay, consensus on an appropriate mechanism or mechanisms to deal with this item in all its aspects. I should also like to stress that recent important developments outside the CD have brought about a qualitatively new situation which undoubtedly affected our consideration of this issue. In this connection, I wish to refer to the joint communiqué issued by the P5 Foreign Ministers at their meeting in Geneva on 4 June 1998 and to resolution 1172 (1998) adopted by the United Nations Security Council on this matter.

From the intensive consultations we held on agenda item 1, I can derive the following preliminary findings.

First, there is a general recognition of the importance of this item and the need for the Conference to address it as a matter of priority, especially in view of the nuclear tests conducted by two States in South Asia. However, views still differ on what specifically the Conference should negotiate under this item.

Second, the importance of the early start of negotiations on a fissile material cut-off treaty (FMCT) is also widely shared, although the scope of

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such a treaty and the political context for its negotiation - whether as a stand-alone measure or as part of nuclear disarmament - still require further consideration.

Third, the Group of 21 continues to attach the highest priority to nuclear disarmament and to the need for the immediate establishment of an ad hoc committee on the subject, on the basis of the proposals made by the Group in this regard.

Fourth, the P5 continue to stress the importance of the Conference starting negotiations on an FMCT on the basis of the agreed mandate, and reiterated their determination to fulfil their commitments relating to nuclear disarmament under article VI of the NPT.

Fifth, the Conference also has before it a number of proposals aimed at enabling it to address all issues relating to this item in a comprehensive manner in the framework of one single ad hoc committee with a negotiating mandate, as well as other proposals providing for a structured discussion or deliberation on nuclear disarmament. So I believe the Conference should focus on developing consensus on proposals which enjoy the widest support.

The magnitude and complexity of the tasks ahead of us cannot be overemphasized. The positions held by delegations and groups of delegations on this important issue are clearly identified. What is required is a display of the necessary spirit of compromise and flexibility which would allow us to translate into action what is now the subject of a convergence of views, while continuing our efforts to enlarge the areas of consensus to cover the security concerns of all. Due to the nature and complexity of the questions involved and the limited time span of my tenure, I am not in a position to make any recommendations at this time. However, I am convinced the process of intensive consultations on agenda item 1 launched during my presidency has proven its value and the existing momentum will hopefully enable the Conference to take action on this item in the third part of the 1998 session. It would be the responsibility of my successor in this function, Ambassador Maimeskul of Ukraine, to lead the Conference along this path. In his efforts he can count on the assistance of the incoming President, Ambassador Soutar of the United Kingdom, and myself. It is my firm belief that recent events have clearly shown that the entire nuclear disarmament cause must be revived both in pace and scope to match the newly demonstrated urgency.

This concludes my report on my preliminary findings.

I should also like to express my satisfaction that the Conference has embarked on its substantive work. The chairman of the Ad Hoc Committee on negative security assurances and the six Special Coordinators on the prevention of an arms race in outer space, anti-personnel landmines, transparency in armaments, review of its agenda, expansion of its membership and the improved and effective functioning of the Conference, with whom I had

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the privilege of collaborating, have embarked on substantive and consultative work. I am confident that the Conference will make concrete progress under their able leadership.

I should sincerely like to express my warmest and best wishes to the new President of the CD, Ambassador Maimeskul of the Ukraine. I look forward to continuing our joint task under his presidency. I wish also to thank him and Mr. Al-Hussami of Syria for their valuable contribution to our endeavours, as well as for their support. I should like to express my gratitude to the Secretary-General of the Conference on Disarmament, Mr. Petrovsky, the Deputy Secretary-General, Mr. Bensmail, all the secretariat staff and the interpreters for their invaluable assistance in organizing and carrying out the work of the Conference. I thank all the delegations to the Conference on Disarmament for their contributions and for their active cooperation with the President.

The secretariat has circulated, at my request, a tentative timetable of meetings for the period 22-26 June 1998. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on negative security assurances and the Special Coordinators. It is merely indicative and subject to change if necessary. On this understanding, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: I should remind delegations that the Special Coordinator on transparency in armaments, Mr. Grecu of Romania, will hold open-ended informal consultations tomorrow, 19 June, at 10 a.m. in this room.

This concludes our business for today. The next plenary meeting of the Conference will be held on Thursday, 25 June 1998, at 10 a.m.

The meeting rose at 11 a.m.